

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 320/GT/2014

Subject : Revision of tariff of Feroze Gandhi Super Thermal Power Project, Stage-I (420 MW) for the period 2009-14 after truing up exercise.

Date of hearing : **3.3.2016**

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Dr. M.K. Iyer, Member

Petitioner : NTPC

Respondents : UPPCL and 12 others

Parties present : Shri Ajay Dua, NTPC
Shri Nishant Gupta, NTPC
Shri Ajay Mehta, NTPC
Shri Shankar Saran, NTPC
Shri Neeraj Kumar, NTPC
Shri R.B. Sharma, Advocate, BRPL
Shri Sanjay Srivastav, BRPL
Shri Manish Garg, UPPCL

Record of Proceedings

This petition has been filed by the petitioner, NTPC for approval of tariff of Feroze Gandhi Super Thermal Power Project, Stage-I (420 MW) (generating station) based on the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 ("the 2009 Tariff Regulations").

2. During the hearing, the representative for the petitioner made detailed submissions in the matter and submitted that the additional information sought for by the Commission has been filed and copies served on the respondents. The representative submitted that rejoinder to the reply filed by the respondent UPPCL has been filed. He however prayed for grant of time to file its rejoinder to the reply filed by the respondent BRPL. Accordingly, the representative prayed that tariff of the generating station may be determined in terms of the 2009 Tariff Regulations.

3. The representative for the respondent, UPPCL submitted as under:

- (i) The claim for additional capitalization of CHP related work in 2013-14 under Regulation 9(2)(vi) may not be permitted as the same is not on account of modification required for fuel receipt system arising due to non-materialisation of full coal linkage, but on account of obsolescence and non availability of spares of existing equipment.
- (ii) The expenditure towards 'Other works' in 2009-10 & 2010-11 claimed under Regulation 9(2) read with Regulation 44 may be met from the compensation allowance granted to the petitioner.

4. The learned counsel for the respondent, BRPL submitted as under:

- (i) The claim of the petitioner towards additional capitalisation in 2009-10 under Regulation 9(2) read with Regulation 44 of the 2009 Tariff Regulation and claim for additional capitalization in 2010-11



may not be permitted as the same may be met from the compensation allowance granted to the petitioner.

- (ii) The expenditure on purchase of Locos and wagons are not allowed to be capitalized under Regulation 9(2)(vii) in terms of the judgment of the APTEL dated 7.5.2014 in Appeal No. 173/2014.
- (iii) The claim of capitalisation of CHP Stage-I CBMS for R&M of Wagon Tippler under Regulation 9(2)(vii) does not indicate that the expenditure is required for fuel receipt system arising due to non-materialization of full coal linkage. The expenditure may be met for the compensation allowance granted to the petitioner.
- (iv) Reply filed in the matter may be considered.

5. The Commission directed the petitioner to file its rejoinder to the reply of BRPL, if not already filed on or before 17.3.2016. Subject to above, order in the petition was reserved.

By Order of the Commission

-Sd/-
(T. Rout)
Chief (Legal)

